

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|------------------------|
| IN RE: JOSEPH YEBOAH | : | CHAPTER 13 |
| Debtor | : | |
| | : | |
| JACK N. ZAHAROPOULOS | : | |
| STANDING CHAPTER 13 TRUSTEE | : | |
| Movant | : | |
| | : | |
| vs. | : | |
| | : | |
| JOSEPH YEBOAH | : | |
| Respondent | : | CASE NO. 5-22-bk-00611 |

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 13th day of June, 2022, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor's plan for the following reason(s):

1. Debtor's plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:

a. Residential real estate. The Trustee has requested proof of the value of the debtor's home as stated in his schedules. Need CMA for 101 Kimball Court, East Stroudsburg, PA.

2. The Trustee avers that debtor's plan is not feasible based upon the following:

a. Insufficient Monthly Net Income as indicated on Schedules I and J.
b. The plan is underfunded relative to claims to be paid.

3. Trustee avers that debtor's plan cannot be administered due to the lack of the following:

a. Current Profit and Loss Statement for six (6) months of 2022.

4. The Trustee provides notice to the Court as to the ineffectiveness of debtor's Chapter 13 Plan for the following reasons:

a. Domestic support obligation not listed in plan.

WHEREFORE, Trustee alleges and avers that debtor's plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 21st day of June, 2022, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Paul McElrath, Jr., Esquire
1641 Saw Mill Run Blvd.
Pittsburgh, PA 15210

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee